

May 31, 2002

FACT SHEET

REVISED RULE TO REDUCE TOXIC AIR EMISSIONS FROM SECONDARY ALUMINUM PRODUCTION PLANTS

TODAY'S ACTION...

- Ē The Environmental Protection Agency (EPA) is amending its rule to reduce toxic air pollutants from secondary aluminum production plants. Secondary aluminum plants recover aluminum from scrap such as aluminum beverage cans, car body parts, doors, siding and other aluminum scrap.
- Ē Aluminum die casting, foundry, and extrusion facilities are included in the air toxics rule for secondary aluminum production plants, because they use secondary aluminum furnaces and other operations to remelt and reuse scrap aluminum material generated on-site as well as defective aluminum parts returned by customers.
- Ē A settlement agreement reached between the American Foundrymen's Society (AFS), two other industry trade associations and EPA, together with another settlement agreement reached with the Aluminum Association (AA) and EPA, requires the Agency to publish three amendments to the promulgated rule.
- Ē Additionally, EPA will withdraw a proposed stay of applicability of the existing air toxics rule for secondary aluminum production facilities as it applies to aluminum foundries, die casting, and extrusion plants. The withdrawal also announces that we do not intend to take any further action with respect to an advance notice of proposed rulemaking in which we announced our intention to remove aluminum die casters and aluminum foundries from the requirements to reduce air toxics from secondary aluminum production facilities and promulgate a separate requirement for aluminum die casters and foundries.
- Ē EPA is also issuing a direct final rule amendment (and parallel proposal) to clarify certain compliance dates contained in the original rule. This action would also defer the compliance date for new affected sources at existing aluminum die casting facilities, foundries and extrusion facilities that are subject to the final rule.
- Ē EPA does not anticipate adverse comments on the direct final notice, however, if we receive significant adverse comments on these amendments, we will withdraw the section(s) of the direct final rule which are adversely commented on and carefully evaluate the comments before taking any final action, under the parallel proposal.
- Ē Secondary aluminum plants emit a variety of toxic air pollutants. These air toxics vary by

facility and process operation but may include up to 11 hazardous metals (including antimony, arsenic, lead, manganese, beryllium, cadmium, chromium, cobalt, mercury, nickel, and selenium), organic compounds (including dioxins and furans, and polycyclic organic matter), and acid gases such as hydrogen chloride and chlorine. The health effects associated with exposure to these air toxics can include cancer, respiratory irritation, and damage to the nervous system.

- Ē Today's proposed amendments would not change the health and environmental effects of the rule, and they will not change the requirement that area sources and new and existing major sources control air toxics emissions.

BACKGROUND

- Ē Under the Clean Air Act (CAA), EPA is required to regulate sources of 188 listed toxic air pollutants. On July 16, 1992, EPA published a list of industrial source categories that emit one or more of these air toxics. For listed categories of "major" sources (those that emit 10 tons/year or more of a listed pollutant or 25 tons/year or more of a combination of listed pollutants), the Act requires EPA to develop standards that require the application of stringent air pollution reduction measures known as maximum achievable control technology (MACT). The Clean Air Act also requires EPA to regulate area sources where an area source finding has been made due to the health effects of certain air toxics. Area sources are defined as those sources that emit hazardous air pollutants in quantities less than that of major sources.
- Ē Air toxics are released from preprocessing operations such as aluminum scrap shredding, thermal chip drying, scrap drying/decoating/delacquering, and furnace operations (i.e., melting, holding, refining, fluxing, or alloying).
- Ē The existing final rule for secondary aluminum production plants was published in the Federal Register on May 23, 2000. It is expected to reduce nationwide emissions of air toxics by about 12,400 tons per year, a reduction of nearly 70 percent from current levels.

WHAT THE AMENDMENTS WOULD DO

- Ē The most significant change will allow aluminum die casting facilities, foundries, and extruders to remelt defective parts returned by their customers. This is in addition to aluminum scrap material generated and processed within a facility that aluminum die casting facilities, foundries and extruders are already allowed to remelt without becoming subject to control requirements. Several definitions are changed by the proposed amendments to the rule to allow for the expansion of the ability to reuse in-house generated aluminum scrap and parts.
- Ē The proposed amendments also provide for streamlined compliance and testing procedures. This change would reduce the cost of demonstrating compliance while assuring that all rule requirements are met. EPA is also proposing several other minor recordkeeping and reporting

changes. EPA estimates that these changes would reduce the total compliance cost of the rule by \$1.5 million per year.

- A direct final rule and a parallel proposal are also included in this rulemaking package. This action changes several time sensitive compliance dates necessary for implementation of the settlement agreements, though the overall compliance deadline remains March 23, 2002.
- In the preamble of the final rule for secondary aluminum production plants, EPA stated that it intended to re-evaluate the control technology requirements and the economic impacts on small businesses for aluminum die casters, foundries, and extruders. After promulgation several industry associations filed a petition for review of the final rule and finalized a settlement agreement with EPA that resulted in a proposed stay of applicability of the rule with respect to die casters, foundries and extruders. EPA also published an advance notice of proposed rulemaking to begin developing an alternative rule for these industries.
- Later industry petitioners and EPA finalized a new settlement agreement that resulted in aluminum die casters, foundries and extruders remaining subject to the current air toxics rule for secondary aluminum production plants with amended emission control requirements for these sources. With this new agreement in place the earlier proposed actions are no longer necessary and, therefore, EPA will withdraw the proposed stay of applicability of the existing air toxics rule for secondary aluminum production facilities as it applies to aluminum foundries, die casting, and extrusion facilities and will take any further action with respect to an advance notice of proposed rulemaking to develop a separate air toxic rule to control emissions from these facilities.

FOR FURTHER INFORMATION...

- Interested parties can download the rule from EPA's web site on the Internet under "recent actions" at: <http://www.epa.gov/ttn/oarpg>. For further information about today's rule, contact Mr. John Schaefer of EPA's Office of Air Quality Planning and Standards at (919) 541-0296.
- The EPA's Office of Air and Radiation's (OAR's) home page on the Internet contains a wide range of information on the air toxics program and many other air pollution programs and issues. The OAR's home page address is: <http://www.epa.gov/oar>.